

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

UNITED STATES OF AMERICA, )  
Plaintiff, )  
 )  
v. ) Docket No. 2:17-mj-83  
 )  
BRIAN TIERNEY )  
Defendant. )

**MOTION FOR DETENTION**

The United States of America, by and through its attorney, Eugenia A.P. Cowles, Acting United States Attorney for the District of Vermont, moves for pretrial detention of the defendant pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility for Detention. This defendant is eligible for detention because the case involves

a serious risk that defendant will flee  
a crime that involves the attempted sexual  
exploitation of a minor

2. Reason For Detention. The Court should detain the defendant because there are no conditions of release which will reasonably assure the defendant's appearance as required and the safety of the community.

3. Rebuttable Presumption. The United States will not invoke the rebuttable presumption against defendant under § 3142(e).

4. Time For Detention Hearing. The United States requests the court conduct the detention hearing after a continuance of three days.

5. Other Matters.

Although the defendant has no prior criminal record, the crime charged in the complaint is extremely serious. It involves that attempted enticement of a person whom the defendant believed to be fourteen years old. It is punishable by a mandatory minimum ten-year term of imprisonment. This provides a 48-year-old defendant with a strong motive to flee. In addition, the defendant appears to be the sole custodial parent of a three-year old daughter. The Government needs to investigate this relationship. A short continuance of the detention hearing is warranted under such circumstances.

Dated at Burlington, in the District of Vermont, September 11, 2017.

Respectfully submitted,

UNITED STATES OF AMERICA

EUGENIA A.P. COWLES  
Acting United States Attorney

By: /s/ Gregory L. Waples  
GREGORY L. WAPLES  
Assistant U.S. Attorney  
P.O. Box 570  
Burlington, VT 05402-0570  
(802) 951-6725  
[Gregory.Waples@usdoj.gov](mailto:Gregory.Waples@usdoj.gov)